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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,048	03/10/2004	Hideki Kamada	249171US0	2720
22850	7590	04/03/2006	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				ART UNIT
				PAPER NUMBER

DATE MAILED: 04/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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10/796,048

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT PAPER

032906

DATE MAILED:

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Commissioner for Patents

In response to an election as a result of a restriction requirement, the Examiner mailed a Notice of Non-compliant Amendment for Application 10/796,048 stating that the Applicant must submit a new listing of claims indicating the non-elected claims as withdrawn. During a phone call on Monday, March 27, 2005, the attorney of record, Roland Martin, informed the Examiner that the Notice of Non-Compliant Amendment is improper because the Applicant did not submit any claim amendments. According to MPEP 714, "for any amendment being filed in response to a restriction or election of species requirement and any subsequent amendment, any claims which are non-elected must have the status identifier (withdrawn)." In this case, no claim amendments have been filed and, therefore, the Examiner agrees that the Notice of Non-Compliant Amendment is improper. The Notice of Non-Compliant Amendment has been vacated from the application.

JB
3/29/06


TERREL MORRIS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700